

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security 0 Assumption of Executory Contract or Unexpired Lease 0 Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

Thomas L. Kenny

Case No.:

17-21532

Judge:

MBK

Debtor(s)

Chapter 13 Plan and Motions

- | | | |
|---|--|------------------------|
| <input type="checkbox"/> Original | <input checked="" type="checkbox"/> Modified/Notice Required | Date: <u>2/19/2021</u> |
| <input type="checkbox"/> Motions Included | <input type="checkbox"/> Modified/No Notice Required | |

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

- DOES DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.
- DOES DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.
- DOES DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: ATA

Initial Debtor: TLK

Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 444 per month to the Chapter 13 Trustee, starting on March 1, 2021 for approximately 52 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

Future earnings

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

Sale of real property

Description:

Proposed date for completion: _____

Refinance of real property:

Description:

Proposed date for completion: _____

Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$
DOMESTIC SUPPORT OBLIGATION		

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

None

The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: **NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
US Bank Trust	First Mortgage	\$11,169.62	0	\$11,169.62	per contract
MEB Loan Trust	Second Mortgage	\$9,638.52	0	\$9,638.52	per contract
Bank of America	Third Mortgage	\$11,634.88	0	\$11,634.88	per contract

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: **NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: **NONE**

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan NONE

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: NONE

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- Not less than \$ _____ to be distributed *pro rata*
 Not less than 0 _____ percent
 Pro Rata distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal, and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- Upon confirmation
 Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Andrew T. Archer, Esq.
- 3) Secured Claims
- 4) Priority and General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee is, is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: _____.

<p>Explain below why the plan is being modified: Debtor suffered hardship due to COVID-19. Needed to include post-petition arrears owed to the mortgage company in the plan.</p>	<p>Explain below how the plan is being modified: Arrears owed to US Bank Trust were included in the plan. Plan payment was increased to \$444 per month, and the length of the plan was extended by 24 months.</p>
--	--

Are Schedules I and J being filed simultaneously with this Modified Plan?

Yes No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

NONE

Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 2/19/2021

/s/ Thomas Kenny
Debtor

Date: _____

Joint Debtor

Date: 2/19/2021

/s/ Andrew T. Archer
Attorney for Debtor(s)

In re:
Thomas L. Kenny
Debtor

Case No. 17-21532-MBK
Chapter 13

District/off: 0312-3
Date Rcvd: Feb 22, 2021

User: admin
Form ID: pdf901

Page 1 of 3
Total Noticed: 41

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 24, 2021:

Recip ID	Recipient Name and Address
db	+ Thomas L. Kenny, 10 Sunrise Circle, Holmdel, NJ 07733-1115
cr	+ BANK OF AMERICA, N.A., Phelan Hallinan & Schmieg, PC, 400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437
cr	+ SN Servicing Corporation as servicer for U.S. Bank, c/o Friedman Vartolo, LLP, 85 Broad Street, Suite 501, New York, NY 10004-1734
cr	+ U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF8 MASTER, Phelan Hallinan & Schmieg, PC, 400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437
cr	+ U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF8 MASTER, Phelan Hallinan & Schmieg, PC, 1617 JFK Boulevard, Suite 1400, Philadelphia, PA 19103-1814
cr	+ U.S. Bank Trust N.A., Robertson, Anschutz & Schneid, P.L., 6409 Congress Ave.suite # 100, Boca Raton, FL 33487-2853
516866166	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court; Bank Of America, Po Box 982238, El Paso, TX 79998
517140674	BANK OF AMERICA, N.A., PO BOX 31785, Tampa, FL 33631-3785
516866164	Bank Of America, POB 31785, Tampa, FL 33631-3785
516866165	+ Bank Of America, 4909 Savarese Cir, Tampa, FL 33634-2413
517291615	+ Bank of America, Jenelle C. Arnold, 4375 Jutland Dr., Ste. 200, POB 17933, San Diego, CA 92177-7921
517022330	+ Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
516866169	+ Caliber Home Loans, In, Po Box 24610, Oklahoma City, OK 73124-0610
516866176	Citicorp TB Bank FSB, Credit Bureau Disputes, PO Box 6241, Sioux Falls, SD 57117-6241
516866177	+ Daxuan Wang, 11 Walnut Street, Livingston, NJ 07039-2507
516866178	+ Ditech, 345 St. Peter St., Saint Paul, MN 55102-1211
518585919	+ MEB Loan Trust IV, Serviced by Select Portfolio Servicing,, 3217 S. Decker Lake Dr., Salt Lake City, UT 84119-3284
518585920	+ MEB Loan Trust IV, Serviced by Select Portfolio Servicing,, 3217 S. Decker Lake Dr., Salt Lake City, UT 84115, MEB Loan Trust IV 84119-3284
516866181	+ Monmouth County Sheriff's Office, Attention Foreclosure Unit, 2500 Kozloski Road, Freehold, NJ 07728-4424
516910718	+ Petro Inc. c/o, Mullooly Jeffrey Rooney Flynn, LLP, 6851 Jericho Tpke PO Box 9036, Syosset, NY 11791-9036
517819395	+ U.S. BANK TRUST, N.A., AS TRUSTEE ET.AL., CALIBER HOME LOANS, INC., 13801 WIRELESS WAY, OKLAHOMA CITY OK 73134-2500
517104760	+ U.S. Bank Trust N.A., Robertson, Anschutz & Schneid, PL, 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
517133112	+ U.S. Bank Trust, N.A., P.O. Box 24330, Oklahoma City OK 73124-0330
517134900	+ US Bank Trust, NA, 13801 Wireless Way, Oklahoma City, OK 73134-2500
517104448	eCAST Settlement Corporation, PO Box 29262, New York NY 10087-9262

TOTAL: 25

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Feb 22 2021 21:02:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpregion03.ne.ecf@usdoj.gov	Feb 22 2021 21:02:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
516866161	+ Email/Text: bkrpt@retrievalmasters.com	Feb 22 2021 21:02:00	AMCA/Amer Medical Collection Agency, 2269 S Saw Mill, Elmsford, NY 10523-3832

District/off: 0312-3

User: admin

Page 2 of 3

Date Recd: Feb 22, 2021

Form ID: pdf901

Total Noticed: 41

516866160	+ Email/Text: bkrpt@retrievalmasters.com	Feb 22 2021 21:02:00	AMCA/Amer Medical Collection Agency, 4 Westchester Plaza, Suite 110, Elmsford, NY 10523-1615
517064700	Email/PDF: resurgentbknotifications@resurgent.com	Feb 22 2021 22:00:15	Ashley Funding Services, LLC its successors and, assigns as assignee of Laboratory, Corporation of America Holdings, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
516866170	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Feb 22 2021 22:02:00	Capital One, Attn: Bankruptcy, Po Box 30253, Salt Lake City, UT 84130-0253
516866171	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Feb 22 2021 22:01:05	Capital One, Po Box 30281, Salt Lake City, UT 84130-0281
517130823	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Feb 22 2021 22:00:11	Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
516866172	Email/PDF: ais.chase.ebn@americaninfosource.com	Feb 22 2021 22:01:04	Chase Card, Attn: Correspondence Dept, Po Box 15298, Wilmington, DE 19850
516866173	Email/PDF: ais.chase.ebn@americaninfosource.com	Feb 22 2021 22:00:10	Chase Card, Po Box 15298, Wilmington, DE 19850
516866174	Email/PDF: ais.chase.ebn@americaninfosource.com	Feb 22 2021 22:00:10	Chase Card Services, Attn: Correspondence, Po Box 15278, Wilmington, DE 19850
516866175	Email/PDF: ais.chase.ebn@americaninfosource.com	Feb 22 2021 22:01:59	Chase Card Services, Po Box 15298, Wilmington, DE 19850
516866180	+ Email/Text: PBNCNotifications@perituservices.com	Feb 22 2021 21:01:00	Kohls/Capital One, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-5660
516866179	+ Email/Text: PBNCNotifications@perituservices.com	Feb 22 2021 21:01:00	Kohls/Capital One, Kohls Credit, Po Box 3043, Milwaukee, WI 53201-3043
518896780	Email/Text: bknotices@snscc.com	Feb 22 2021 21:02:00	SN Servicing Corporation, 323 5th street, Eureka, CA 95501
518896781	Email/Text: bknotices@snscc.com	Feb 22 2021 21:02:00	SN Servicing Corporation, 323 5th street, Eureka, CA 95501, SN Servicing Corporation, 323 5th street, Eureka, CA 95501

TOTAL: 16

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
516866167	*P++	BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238, address filed with court:, Bank Of America, Po Box 982238, El Paso, TX 79998
517575103	*+	Bank of America, N.A., P.O. Box 31785, Tampa, FL 33631-3785
516866162	##+	Bank Of America, Nc4-102-03-14, Po Box 26012, Greensboro, NC 27420-6012
516866163	##+	Bank Of America, Nc4-105-03-14, Po Box 26012, Greensboro, NC 27420-6012
516866168	##+	Buckley Madole, 99 Wood Avenue South Suite 803, Iselin, NJ 08830-2713

TOTAL: 0 Undeliverable, 2 Duplicate, 3 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

District/off: 0312-3

User: admin

Page 3 of 3

Date Recd: Feb 22, 2021

Form ID: pdf901

Total Noticed: 41

Date: Feb 24, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 19, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Andrew Thomas Archer	on behalf of Debtor Thomas L. Kenny aarcher@spillerarcherlaw.com bankruptcy@brennerlawoffice.com;mcdoherty_187750@ecf.courtdrive.com;R64966@notify.bestcase.com
Denise E. Carlon	on behalf of Creditor MEB Loan Trust IV dcarlon@kmllawgroup.com bkgroup@kmllawgroup.com
Jonathan C. Schwab	on behalf of Creditor SN Servicing Corporation as servicer for U.S. Bank Trust National Association as Trustee of Bungalow Series IV Trust bankruptcy@friedmanvartolo.com
Laura M. Egeman	on behalf of Creditor U.S. Bank Trust N.A. bkyecf@rasflaw.com bkyecf@rasflaw.com;legerman@rasnj.com
Michael Frederick Dingerdissen	on behalf of Creditor U.S. BANK TRUST N.A., AS TRUSTEE FOR LSF8 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com
Nicholas V. Rogers	on behalf of Creditor U.S. BANK TRUST N.A., AS TRUSTEE FOR LSF8 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com
Sindi Mncina	on behalf of Creditor U.S. BANK TRUST N.A., AS TRUSTEE FOR LSF8 MASTER PARTICIPATION TRUST smncina@raslg.com
Steven P. Kelly	on behalf of Creditor BANK OF AMERICA N.A. skelly@sterneisenberg.com, bkecf@sterneisenberg.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10